

In the  
**Indiana Supreme Court**



IN THE MATTER OF THE  
APPROVAL OF LOCAL RULES  
FOR PUTNAM COUNTY

Case No. *94500-1203-MS-153*

ORDER APPROVING AMENDED LOCAL RULES

The judges of the Putnam Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Ind. Administrative Rule 1(E), and appointment of special judges in accordance with Ind. Trial Rule 79. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Putnam Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR67-ARI-2 and LR67-TR79-GEN-8 comply with the requirements of Ind. Administrative Rule 1(E) and Ind. Trial Rule 79, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Putnam County Local Rules, LR67-ARI-2 and LR67-TR79-GEN-8, set forth as attachments to this Order, are approved effective retroactive to July 1, 2011, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Charles D. Bridges, Putnam Superior Court, One Courthouse Square, Greencastle, IN 46135-1550; the Hon. Matthew L. Headley, Putnam Circuit Court, One Courthouse Square, Greencastle, IN 46135-1503; to the Clerk of the Putnam Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Putnam Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment

for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 5<sup>th</sup> <sup>March</sup> day of February, 2012.

RT Shepard

Randall T. Shepard  
Chief Justice of Indiana

**LR67- ARI-2                      Commencement of action/Assignment of Cases**  
**Circuit Court**

**Civil**

- all causes filed as a CC or a CT, and all causes filed as a PL wherein the demand is \$10,000.00 or more or when money damages are requested in an unspecified amount
- 50% of Dissolution of Marriage actions
- Mental Health Commitments
- Probate
- Trust
- Guardianship
- Juvenile
- Department of Child Services
- Protective Orders if a Dissolution or Juvenile matter involving the same parties is pending
- Adoption

**Criminal**

- Murder
- Class A Felony
- Class B Felony
- Class C Felony, except those filed under Title 9 of the Indiana Code
- Criminal Miscellaneous
- Prior to filing a new criminal charge, the prosecutor's office is required to determine if the Defendant is on probation or already has a pending criminal case in one of the courts. If so, the prosecutor's office shall file the new case in the same court as the prior pending case/probation.

**Superior Court**

**Civil**

- all matters filed as a PL wherein the demand is under \$10,000.00
- 50% of Dissolution of Marriage actions
- Small claims
- Rent/eviction
- Protective Orders, except where a dissolution or Juvenile matter is pending in the Putnam Circuit Court
- Mortgage Foreclosure, Quiet Title, Boundary Line Disputes and other matters involving title to real estate
- Actions filed by Jail or Penal institution inmates (MI cases)
- Reciprocal Support

**Criminal**

- All infractions, ordinance violations, misdemeanors and 50% of Class D Felonies (except battery of a child with an accompanying CHINS action)
- Class C Felonies filed under Title 9
- Prior to filing a new criminal charge, the prosecutor's office is required to determine if the Defendant is on probation or already has a pending criminal case in one of the courts. If so, the prosecutor's office shall file the new case in the same court as the prior pending case/probation.

## **LR67-TR79-GEN 8 Selection of a Special Judge Pursuant to Trial Rule 79 (H)**

### **Section 1- Cases involving a change of judge**

In the absence of an agreement as to a particular special judge under TR 79(D), or an agreement to have the regular sitting judge appoint a special judge under TR 79(E), the regular sitting judge shall name a panel pursuant to TR 79(F). The panel to be named shall include judges or full-time judicial officers from courts within the administrative district as set forth in Administrative Rule 3, and judges and full-time judicial officers from contiguous counties outside of the administrative district and eligible senior judges who have agreed to serve as a special judge in the court where the case is pending.

If none of the above methods produce a special judge, the clerk of the court shall select a special judge on a rotating basis from an alphabetical list of judges or full-time judicial officers eligible under Trial Rule 79(J), or judges and full-time judicial officers from contiguous counties outside of the administrative district and eligible senior judges who have agreed to serve as a special judge in the court where the case is pending.

In cases in which no judge or full-time judicial officer is eligible to serve as special judge or the particular circumstance of a case warrants selection of a special judge by the Indiana Supreme Court, the regular sitting judge may certify the case to the Supreme Court for appointment of a special judge.

### **Section 2- Cases involving recusal or disqualification of a judge**

In the absence of an agreement as to particular special judge under TR 79(D), or an agreement to have the regular sitting judge appoint a special judge under TR 79(E), the clerk of the court shall select a special judge on a rotating basis from an alphabetical list of judges or full-time judicial officers eligible under Trial Rule 79 (J), or judges and full-time judicial officers from contiguous counties outside of the administrative district and eligible senior judges who have agreed to serve as a special judge in the court where the case is pending.

In cases in which no judge or full-time judicial officer is eligible to serve as special judge or the particular circumstance of a case warrants selection of a special judge by the Indiana Supreme Court, the regular sitting judge may certify the case to the Supreme Court for appointment of a special judge.